

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

LUIS ALBERTO RIVERA-DIAZ

Petitioner

v.

UNITED STATES OF AMERICA

Respondent.

Civ. No. 05-2089(PG)

(Re: Crim. No.04-103(PG))

ORDER

Before the Court is Chief Magistrate Judge Justo Arena's Report and Recommendation ("R&R") (Docket No. 13) regarding Petitioner's Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. §2255 (Docket No. 1.)

Upon *de novo* review of the exhaustive and itemized R&R, the objections thereto, as well as the record and the applicable case law, the Court finds no reason to depart from the Magistrate Judge's sound findings and conclusions. Accordingly, the Court **ADOPTS** the R&R (**Docket No. 13**) and **DENIES** petitioner's motion (**Docket No. 1**). Judgment shall be entered dismissing the case.

IT IS SO ORDERED.

In San Juan, Puerto Rico, January 24, 2007.

S/JUAN M. PEREZ-GIMENEZ
U.S. District Judge